

EXHIBIT C
Benjamin Schober Conversation Record

CONVERSATION RECORD				Time: 1830 hrs	Date: 22MAY04
Type: Visit Telephone X Conference	Incoming Outgoing	Location of visit/conference USCG AIRSTA CAPE COD, MA			
Name & title of person(s) contacted [REDACTED]	Organization (office, dept, etc) F/V AVA CLAIRE (O.N. 547315) 42' FRP (sandwich const w/ balsa core) Black Hull w/ White Superstructure Power: CAT 0333; 210 Hp diesel engine			Telephone # [REDACTED]	
Subject: F/V AVA CLAIRE collision with unknown vessel, resulting in total loss of F/V AVA CLAIRE on 22MAY04					

Summary:

Met with contact following subject incident. Contact was a crewmember aboard the F/V AVA CLAIRE (O. N. 547315). Present for the interview was CWO4 [REDACTED] and self (entered late).

- Contacted stated that vessel had departed New London, CT at approximately 0300 on 22MAY04 and that he slept a few hours on the way to fishing grounds.
- Contact believed position to be approx. 30 – 35 miles south of Montauk.
- Contact stated that vessel was targeting monk fish with anchored gill-net gear.
- Contact stated that they had just completed hauling first sting of gear when they were struck by ship.
- Contact described the ship as having a blue hull with white lettering.
- Contact did not report hearing any type of vessel sound signals.
- Contacted stated that subject vessel had dry exhaust with a stack coming out of the pilot house near the aft deck, but that the noise from the engine exhaust was not particularly loud or impairing.
- Contact stated that he had spent his entire life on small boats out of the New London, CT area, primarily sail boats, but that this was only his 2nd commercial fishing. Both trips had been aboard subject vessel.
- Contact reported retrieving several beers, sodas, mustard packets, and misc. other items while waiting in the life raft.
- Contacted reported consuming a couple of beers while waiting in the life raft.
- BAC of contact was [REDACTED] as registered on breath alcohol test conducted by trained personnel from CG Station Cape Cod Canal.
- Contact was informed that he would be required to submit to a chemical test by his marine employer as required by 46 CFR 4.06. Arrangements for chemical testing, at a collection site in New Bedford, MA, were made by CWO [REDACTED].
- Contact was informed that a \$5,000 civil penalty would be issued to anyone who fails provide a sample or obstructs the chemical testing process.

EXHIBIT

Schober-30
3-29-07

Action Required:		
Name person documenting conversation [REDACTED]	Signature [REDACTED]	Date 22MAY04
Action Taken:		
Signature	Title	Date